

PERSONNEL

STAT

28 September 1982

4. Further, a participant may make an election under the following options:

a. A participant who, on 15 November 1982, has a former spouse, by spousal agreement with the current spouse, may elect to receive a reduced annuity and provide a survivor annuity for such former spouse.

b. A participant who has divorced before 15 November 1982 may elect voluntarily to purchase a survivor annuity for a former spouse. This allotment is paid totally by the participant--there is no Government contribution--and is based on actuarial equivalent in value as calculated on tables of mortality as provided by the U.S. Government.

5. A technical amendment will permit the refund, after separation under CIARDS, of retirement deductions withheld from basic salary for service in excess of 35 years, subject first to the application of any uncovered service (either optional or prior refund service). Additional annuity or any other authorized elective benefit also may be purchased with these excess funds. Any residue will be refunded subject to notification or consent of a current spouse to such payments.

6. Any questions regarding this matter should be referred to the Chief, Retirement Affairs Division, Office of Personnel, extension

James H. McDonald
Acting Deputy Director
for
Administration

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This Notice Expires 1 April 1983

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CHANGES IN RETIREMENT PROGRAM CONCERNING
PROVISION FOR FORMER SPOUSE ANNUITY

Reference: EB No. 933 dated 29 April 1982
No Field Counterpart to this HN

1. Title VI of H.R. 6068, "Intelligence Authorization Act for Fiscal Year 1983," contains changes in the retirement program, including the former spouse annuity provisions. The conferees expect the passage of the act in mid-September. The effective date of Title VI has been fixed at 15 November 1982.

2. In the Conference Report (H. Rept. No. 97-779), the Senate version of the former spouse legislation was adopted. This version is similar to the pertinent provisions of the Foreign Service Act of 1980. Employees in both CIARDS and the Civil Service Retirement and Disability System will be covered by the former spouse legislation provided the following requirements are met:

- a. The employee was divorced on or after 15 November 1982.
- b. The employee was married to the former spouse for 10 years during the period of creditable service.
- c. The former spouse served overseas with the employee for five years.

3. The legislation will apply to these employees even if they leave the Agency and subsequently retire from another Government agency. Briefly, participants are required under the former spouse legislation to accept necessary reductions in their own retirement benefits to meet the following obligations:

- a. A pension to a former spouse.
- b. A court ordered apportionment of annuity to a former spouse.
- c. A regular survivor annuity to a former spouse who has not remarried prior to age 60.
- d. A proration with a former spouse of any lump-sum payment of retirement funds upon separation.

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